

## **REMARKS**

This Application has been carefully reviewed in light of the Office Action mailed March 18, 2008. At the time of the Office Action, Claims 12-24 were pending in this Application. Claims 12-24 were rejected. Applicants respectfully request reconsideration and favorable action in this case.

### **Drawing Objection**

The Examiner objected to the drawings for not showing the method. Applicants respectfully disagree. Figure 2, shows the method steps sufficiently to allow a person skilled in the art to understand the present invention. For example, Figure 2 shows an example of method as claimed including the step of converting a Multimedia message consisting of two data files. The conversion step is shown by the arrow. Moreover, the update of the link LK1 which is included in file MM-E 1 to the new link LK2 is also shown in Fig. 2. hence, Applicants believe that the drawings show all steps as claimed.

### **Rejections under 35 U.S.C. § 102**

Claims 12-24 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application Publication No. 2002/0073205 by Miraj Mostafa (“*Mostafa*”). Applicants respectfully traverse and submit the cited art does not teach all of the elements of the claimed embodiment of the invention.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, “the identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Applicants respectfully submit that the cited art as anticipated by the Examiner cannot anticipate the rejected Claims, because the cited art does not show all the elements of the present Claims.

The Examiner stated that *Mostafa* allegedly discloses the limitation “*updating a link between the different data elements, including the at least one converted data element within*

*the MMS data, after the conversion, to maintain a validity of the link in the MMS\_data between the different data elements.”* Applicants respectfully disagree. Even though, *Mostafa* discloses that the media content may comprise a set of different types of components being formatted in one or more formats, *Mostafa* does not disclose that a data element includes a link to another data element. *Mostafa*, page 7, lines 18-28. The server according to *Mostafa* is merely capable of converting a streaming session to an appropriate format that can be handled by a client. *Mostafa*, page 8, lines 18-28. However, according to the present independent claims, the Multimedia-Messaging-Service comprises files that are interlinked. For example, a text file may include a link to an image file. Once the image file has been converted, the system and method according to the present independent claims update such links according to the respective conversion. *Mostafa* does not even discuss any type of link between files because *Mostafa* is primarily concerned about streaming files to a client. Thus, *Mostafa* only discusses the conversion of data files for a client but not the analysis of the content of a file let alone the updating of any link that is included in a file.

With respect to claim 14 which includes the limitation that a link in the data between different data elements is verified, the Examiner stated that *Mostafa* allegedly discloses this limitation on page 13, lines 1-8. Applicants respectfully disagree. The cited paragraph merely states that a data base is accessed that actually contains the recipient data. In other words, this database stores data about the reception preferences of the client but does not discuss a link between, for example, two files as required by dependent claim 14. Thus, *Mostafa* fails to teach a plurality of files that are interlinked as required by independent claim 12 and/or dependent claim 14.

Hence, Applicants believe that *Mostafa* does not anticipate the present independent claims. Applicants respectfully submit that the dependent Claims are allowable at least to the extent of the independent Claims to which they refer, respectively. Thus, Applicants respectfully request reconsideration and allowance of the dependent Claims. Applicants reserve the right to make further arguments regarding the Examiner's rejections under 35

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U.S.C. §102 or §103(a), if necessary, and do not concede that the Examiner's proposed combinations are proper.

**Petition for Extension of Time**

Applicants respectfully submit herewith a Petition for One-Month Extension of Time Transmittal. Applicants authorizes the Commissioner to charge the amount of \$120.00 for the required filing fee to Deposit Account No. 50-2148 of Baker Botts L.L.P.

**Association of Customer Number and Change of Correspondence Address**

Applicants respectfully request that all papers pertaining to the above-captioned patent application be associated with Customer No. **31625**, and direct all correspondence pertaining to this patent application to practitioners at Customer Number **31625**. All telephone calls should be directed to Andreas Grubert at 512.322.2545. A Revocation and Power of Attorney is filed herewith.

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### CONCLUSION

Applicants have made an earnest effort to place this case in condition for allowance in light of the remarks set forth above. Applicants respectfully request reconsideration of the pending claims.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2545.

Respectfully submitted,  
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Date: July 2, 2008

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